

MAR 17 2009

Department of Water Resources

PAGE 1
Mar-15-2000

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A02-00049
Date Received: 1/13/1989
Receipt No: W002033
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: WILSON & WILSON COMPANY INC 208-366-2173
Address: PO BOX 33
HAMMETT ID 83627

2. Date of Priority: JAN 1, 1928

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	07E	1	SW	NE		7	OWYHEE
			SE	NW		6	OWYHEE

5. Description of diverting works:
SEE REMARKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.020		

7. Total Quantity Appropriated is:
0.020 C.F.S. (and/or) 0.02 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 6500 SHEEP, 1000 CATTLE, 36 HORSES.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06S	07E	1	SW	NE	7	STOCK	
			SE	NE		STOCK	
			SE	NW		STOCK	

A02-00049

Page 1

Date: 04/30/93

MICROFILMED
AUG 10 1994

11. Place of use in counties: OWYHEE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:
ITEM 5. PUMP AND PIPELINE FROM RIVER AS WELL AS CONSTRUCTED
ACCESS TO RIVER, CONSTRUCTED ACCESS TO SNAKE RIVER.

15. Basis of Claim: LICENSE

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

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Date Received

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W002033

NOTICE OF CLAIM
TO A
WATER RIGHT

RECEIVED
JAN 13 1989

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Department of Water Resources
Western Regional Office

Where Daily Use is less than 13,000 gallons per day. Filing fee \$25

Please type or print clearly

1. Name of Claimant (s) Wilson & Wilson Company, Inc. Phone (208) 366-2173

Mailing Address P. O. Box 33, Hammett, Idaho Zip 83627

2. Date of Priority (Only one (1) per claim) 1/1/1928

3. Source of water supply (a) Snake River
which is tributary to (b) Columbia River

4. Location of point of diversion is: Township 6S Range 7E

Section 1, 1/4 of SW 1/4 of NE 1/4, Govt. Lot 7, B.M.,

County of Owyhee

Additional points of diversion if any: T6S, R7E, Sec. 1, SE NW, lot 6, Owyhee County

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Pump and pipeline from river as well as
constructed access to river, constructed access to Snake River

6. Water is claimed for the following: (Limited to Domestic and/or Stockwater only. See Instructions)
(Both dates are inclusive) (cfs)

For Stock purposes from 1/1 to 12/31 amount .02

For purposes from to amount

7. Total quantity claimed .02 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served; Stockwater: Type and number of
livestock) 6,500 head of sheep, 1,000 head of cattle, 36 head of horses.

MICROFILMED

AUG 10 1994

IN THE DISTRICT COURT OF THE JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF

NOTICE OF CLAIM
TO A
WATER RIGHT

DRAINAGE BASIN.

02-0049	I.D. No.	Map No.
\$ 30.00	Fee Paid	18881
		Receipt No.

Notice is hereby given that Wilson & Wilson Company, Inc.
(Name of Claimant)

P.O. Box 33, Hammett, ID 83627
(Mailing Address)

Telephone No. 208-366-2173
(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) January 1, 1928
- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Snake River - main stem
tributary to Columbia River
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | |
|---|---|--|
| Quantity <u>.15 cfs</u>
(CFS, GPD, AF) | Use <u>Stock</u>
(Domestic, irrigation, stock, etc.) | Period of Use From <u>1-1</u> To <u>12-31</u>
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
- (4) .15 cfs TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)
- (5) A) Point of Diversion: Give location of point where water is diverted from its source Lot 7 %
Sec. 1, Twp. 6 south, Rge. 7 east, B.M., Owyhee County
Additional Points: _____
B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. 5 HP
Berkely pump, sprinkler mainline and ditches
- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6S	7E	1			lot 7														

Total no. of acres -0-

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Stock water for
4,000 +/- sheep

NOTE: Include here the type and number of stock watered: 4,000 sheep

- (7) If you are claiming water as a member of an organization, list name of organization: Wilson & Wilson Company, Inc.
- (8) Remarks _____

- (9) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case. _____
☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. _____

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

(Date) _____
State of Idaho Organization _____
County of Ada ss. Seal _____
On this 24th day of April, in the year 1981 before me
a notary public, personally appeared James J. Elias
known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation,
partnership or he) executed the same.
✓ 1. Audrey W. Buckstead

Individual Wilson & Wilson Co.
(Signature of Claimant)
(Signature of Spouse)
Organization Wilson & Wilson Co.
James J. Elias Vice Pres.
(Signature of Authorized Agent)

12/22/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME

Wilson & Wilson

CLAIM IDENT. NO.

A02-00099

DATE RECEIVED

01/13/89

CK #

118

AMOUNT \$

1652/2500

- | | YES | NO | Required Info? |
|--|-------------------------------------|--------------------------|----------------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ | * |
| 2. Is a priority date entered? | ☒ | ☐ | * |
| Is the priority date acceptable in view of mandatory filing dates? | ☒ | ☐ | * |
| 3. (a) Is a source entered? | ☒ | ☐ | * |
| (b) Is a tributary to entered? (if required) | ☒ | ☐ | |
| 4. Is the legal description of the p.d. sufficient? | ☒ | ☐ | * |
| 5. Is there a description of the diverting works? | ☒ | ☐ | |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. | ☒ | ☐ | |
| Is the period of use included? | ☒ | ☐ | |
| Is a quantity claimed for each use? | ☒ | ☐ | * |
| 7. Is a total quantity claimed entered? | ☒ | ☐ | |
| 8. If required is a consumptive use entered? | ☒ | ☐ | |
| Is the consumptive use correct? | ☒ | ☐ | |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. | ☒ | ☐ | * |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | ☒ | ☐ | * |
| 11. Is (are) the county(ies) entered? | ☒ | ☐ | |
| 12. Is the ownership of p.u. checked? | ☒ | ☐ | |
| 13. Are other water rights listed or "none" indicated? | ☒ | ☐ | |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) | ☒ | ☐ | |
| 15. Is the basis of the claim indicated? | ☒ | ☐ | |
| 16. Has the claimant requested a monthly docket sheet? (If yes, describe payment status in "Comments" below.) | ☒ | ☐ | |
| 17. Is the claim signed by the claimant, and is the signature appropriate? | ☒ | ☐ | * |
| 18. Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ | * |
| 19. Was this claim filed on time, or was an extension granted? | ☒ | ☐ | * |
| 20. Is the fee enclosed correct? | ☒ | ☐ | * |
| 21. If this claim is based on an existing water right, has the identification number been entered? | ☒ | ☐ | |
| 22. Should this claim be receipted and data entered? | ☒ | ☐ | |

Claim checked by:

EDR

Date:

08/03/89

MICROFILMED

Claim must be returned to claimant:

(Yes)

(No)

AUG 10 1994

Claimant must be sent a copy of amended claim for approval:

(Yes)

(No)

Receipt Prepared by:

SL

Date:

01/19/89

Claim data entered by:

SL

Date:

04-30-93

Checked by:

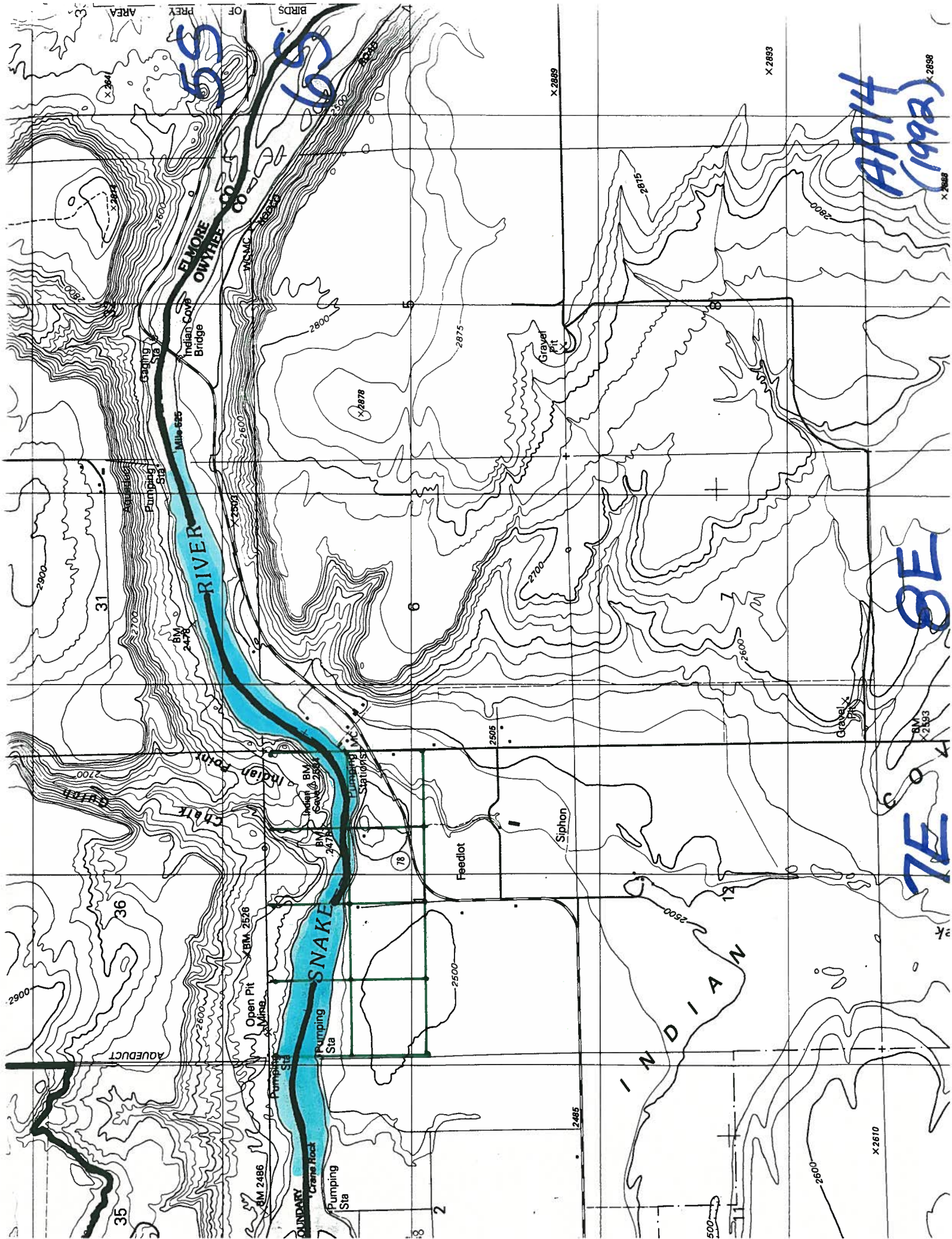
Date:

Sent to claimant by:

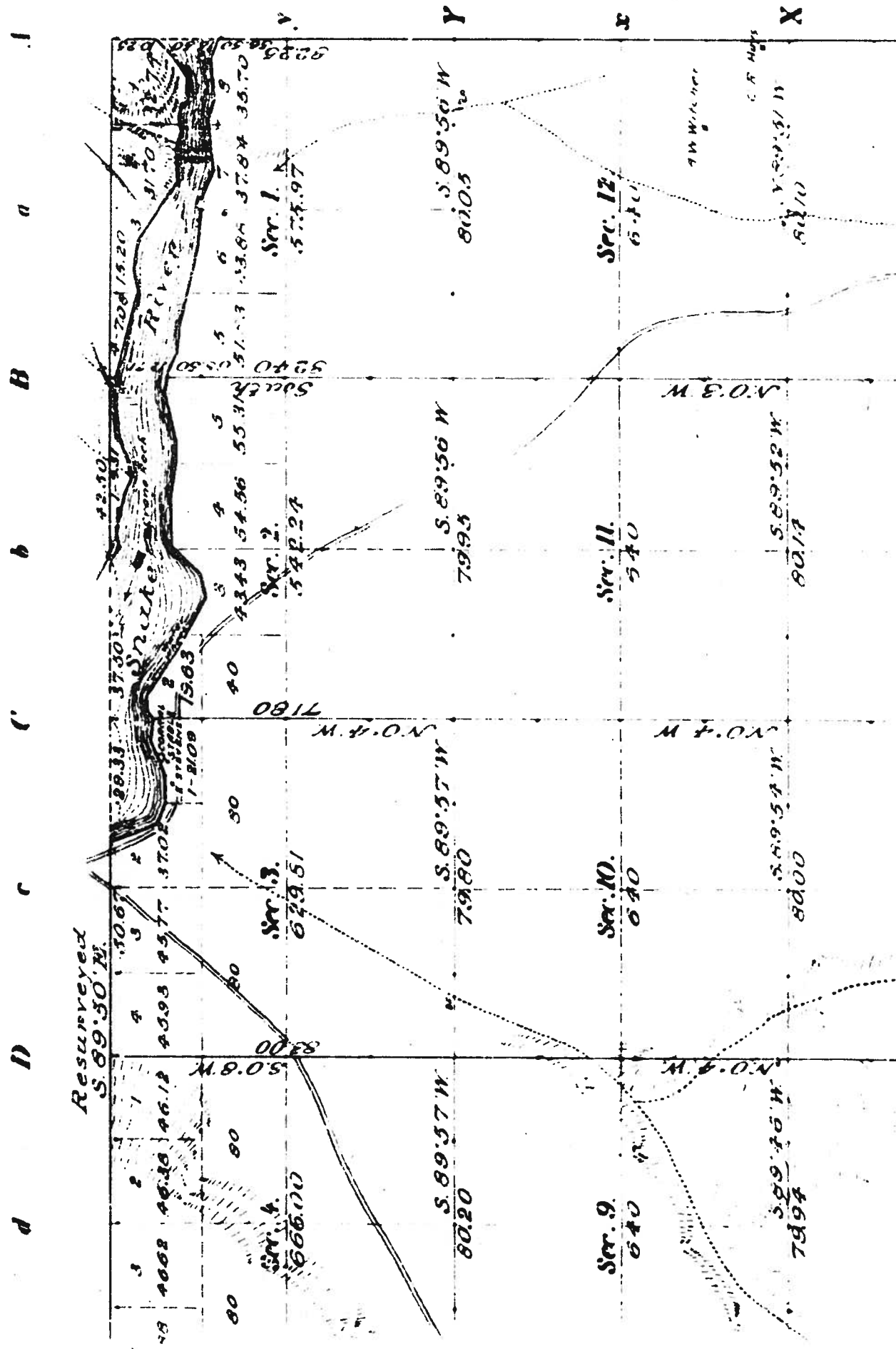
Comments:

DATE: 02/09/99
PAGE: 1

Audit: 02/09/99 KWALKER



gc. No. 7 East of the Boise Meridian Idaho.



IN THE DISTRICT COURT OF THE JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF

NOTICE OF CLAIM
TO A
WATER RIGHT

02-0049	I.D. No.	Map No.
\$ 30.00	Fee Paid	18881
		Receipt No.

Notice is hereby given that Wilson & Wilson Company, Inc.
(Name of Claimant)

P.O. Box 33, Hammett, ID 83627 Telephone No. 208-366-2173
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) January 1, 1928

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Snake River - main stem
tributary to Columbia River

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
Quantity .15 cfs Use Stock Period of Use From 1-1 To 12-31
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

(4) .15 cfs TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source Lot 7
Sec. 1, Twp. 6 south, Rge. 7 east, B.M., Owyhee County

Additional Points: SCI: 2720(1) 522.2

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. 5 HP

Berkely pump, sprinkler mainline and ditches Ramp

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6S	7E	1			lot 7														
					S														

Total no. of acres -0-

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Stock water for 4,000 +/- sheep

NOTE: Include here the type and number of stock watered: 4,000 sheep S/4000 SHEEP

(7) If you are claiming water as a member of an organization, list name of organization: Wilson & Wilson Company, Inc.

(8) Remarks (Use by sheep directly from river.)

(9) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.

☐ B) Right decreed by court, cite title of case.

☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. _____

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual Wilson & Wilson Co.
(Signature of Claimant)

(Date) _____
State of Idaho
County of Ada ss. Organization _____
Seal

Organization Wilson & Wilson Co.
(Signature of Spouse)
James J. Elias Vice Pres.
(Signature of Authorized Agent)

On this 24-th day of April, in the year 1981 before me
a notary public, personally appeared James J. Elias

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or he) executed the same.

My commission expires February 1, 1985 Notary Public residing at Boise Idaho

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by D. Shaff

Date 6-26-84

Right No. 02-0049

Claimant Wilson & Wilson

Recommendation differs from claim: ☐ Yes ☒ No ☐ Disallow
(Document any differences)

Claim Details Verified Against:

Check (X or ✓) those searched. Circle records used for recommendation.
Include copies or memos where applicable to explain findings.

- ☐ License
- ☐ Previous Statutory Claim.
- ☐ Permits, valid or lapsed. Number(s) if different than above _____
- ☐ Decree. Name & date _____
- ☐ Conveyance Loss Calculations. See printout included.
- ☐ Title abstract. ☐ In file. Or, Name & location _____
- ☐ County records. ☐ In file. Or, Name & location _____
- ☐ Affidavits. ☐ In file.
- ☐ Posted Notices, Water Locations Notices. ☐ In file.
- ☐ Deed Records. ☐ In file. Or, Name & location _____
- ☐ Patent Records. ☐ In file. Or, Name & location _____
- _____
- ☐ Metzker Maps. Identify _____
- ☐ A.S.C.S. Records. Year & Photograph No. _____
- ☐ Irrigation Company/District Records. ☐ In file. Or Name & location _____
- ☐ Historical Books. Name(s) & location _____
- _____
- ☐ Interview(s). Attach conversation memorandum.
- ☒ Other # I.C. 42-113
- ☐ _____

Field Exam Made: ☒ Yes ☐ No Date 6-20-84

☒ Adj. Report in file ☐ Beneficial Use Report in License (S.O.) File

Measurement _____ cfs. Amount recommended .15 cfs. 1/4 stream
Type of measuring device: _____ Meter No. _____
Condition _____ Date _____ Time _____

Adjudication Photo(s) Used: Name or No. 1974 00 Indian Cove

Field Photographs Taken ☒ Yes ☐ No

Memorandum in file ☐ Yes ☒ No

Remarks _____

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM
REPORT OF EXAMINERS

Claim No. 02-0049

1. Name of Applicant Wilson & Wilson Co.
2. Priority _____
3. Source of Water Snake River
4. (Quantity) (Domestic, Irri., Stock Water, etc.) (Period of Use)
_____ cfs Use Stockwater From 1-1 to 12-31
_____ cfs Use _____ From _____ to _____
_____ cfs Use _____ From _____ to _____
5. Location of Point of Diversion: Lot 7 (NESWDE) of Section 1
Twp. 6S, Rge. 7E, County of Owyhee
6. Describe Diversion Works: Ramp, fenced, for access of stock to have direct consumption from river.
7. Describe Location of Use:

TWP	RGE	SEC	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SE $\frac{1}{4}$				SW $\frac{1}{4}$				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>6S</u>	<u>7E</u>	<u>1</u>			<u>L. 7 S</u>														

TWP.	RGE.	COUNTY	SCALE: 1" = 1 MILE															

8. Purpose other than irrigation: 5/4,000 Sheep
9. Remarks: _____
- _____
- _____

This examination was made on the 20 day of June, 19 84.

(Signed)

[Signature]
Examiner



6/20/84

Upstream (right-hand) fence line
of Wilson & Wilson Co.'s Indian Cove ranch
enclosure. Bank is not too steep to
prohibit access to the water.

A02-00049

6/20/84

Downstream (~~right~~) (left-hand) fence
line of Wilson & Wilson Co.'s Indian
Cove ranch enclosure. View upstream
shows bank is not too steep to
prohibit livestock access to water.

A02-00049

6/20/84

View downstream of fenced enclosure
at Indian Cove ranch of Wilson & Wilson Co.
Such work provides obvious, habitual
access to the river for the stock.

A02-00049

20

7 AUG 10 1961

Memo to Files

Date: February 16, 1982

From: John K. Noyes

Subject: Status of Claims 02-0027, 02-0028, 02-0048, 02-0049 ✓

I met with James E. Elias of Wilson & Wilson livestock Company to review the livestock adjudication claims from the Snake River. All of the points of diversion on the above claims have no diversion works, only a sloped ramp to the river for access of the livestock.

In a telephone conversation with Sherl Chapman, who is assisting the Wilsons, I will call Jo Beeman about the legality of the claims.

*From table on stbwr
4000 hd (^{for cattle} .00022) / 6 = .15 cfs
Sheep require 2 gpd; Cows 12 gpd*

MICROFILMED
AUG 10 1994

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Quantity _____ Use _____ Period of Use From _____ To _____
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(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
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(4) .15 cfs TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source Lot 7 1/4 1/4
Sec. 1, Twp. 6 south, Rge. 7 east, B.M., Owyhee County
Additional Points:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. 5 HP
Berkely pump, sprinkler mainline and ditches

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE%				NW%				SW%				SE%				TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
AS	7E	1			lot 7														

Total no. of acres -0-

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Stock water for
4,000 +/- sheep

NOTE: Include here the type and number of stock watered: 4,000 sheep

(7) If you are claiming water as a member of an organization, list name of organization: Wilson & Wilson Company, Inc.

(8) Remarks _____

(9) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case. _____
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Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual _____
(Signature of Claimant)
(Date) _____
Organization _____
(Signature of Spouse) _____
County of _____ ss. _____
Seal _____
(Signature of Authorized Agent)

On this 2nd day of April, in the year 1981 before me
a notary public, personally appeared _____
known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or _____) executed the same.
My commission expires February 1, 1985 Notary Public residing at Boise, Idaho